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Attorneys for Defendant
KEVIN KALKHOVEN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re JDS UNIPHASE CORPORATION
SECURITIES LITIGATION

Master File No. C-02-1486 CW (EDL)
CLASS ACTION

This Document Relates to:

ALL ACTIONS.

STIPULATION AND ~~[PROPOSED]~~ ORDER EXTENDING SCHEDULE FOR SUBMISSION OF REBUTTAL EXPERT REPORT

The Honorable Elizabeth D. Laporte

1 Defendant Kevin Kalkhoven; Defendants JDS Uniphase Corporation, Jozef Straus,
 2 Anthony Muller, and Charles Abbe (collectively, the “JDSU Defendants”); and Lead
 3 Plaintiff Connecticut Retirement Plans and Trust Funds (“Lead Plaintiff”) respectfully
 4 submit this stipulation and proposed order extending the schedule pursuant to which Mr.
 5 Kalkhoven’s expert witness may serve a rebuttal to the Rebuttal Report of Professor H.
 6 Nejat Seyhun Ross School of Business, University of Michigan to the Report of the Defense
 7 Expert, Professor Wayne R. Guay (the “Seyhun Report”).

8 **WHEREAS**, Lead Plaintiff served the Seyhun Report on March 5, 2007;

9 **WHEREAS**, Mr. Kalkhoven and JDSU Defendants each filed letter briefs
 10 requesting the Court to strike the Seyhun Report;

11 **WHEREAS**, Mr. Kalkhoven requested, in the alternative, leave to file a rebuttal to
 12 the Seyhun Report;

13 **WHEREAS**, on March 28, 2007, the Court issued its Order Denying Defendant
 14 Kalkhoven’s Motion to Strike Rebuttal Report of Seyhun as to Trading by Kalkhoven and
 15 Granting the JDSU Defendants’ Motion to Strike as to Trading by Straus, Muller and Abbe
 16 (the “Order”), which required that Mr. Kalkhoven submit a rebuttal to the Seyhun Report on
 17 April 5, 2007, and that Mr. Kalkhoven’s rebuttal expert be made available for deposition no
 18 later than April 12, 2007;

19 **WHEREAS**, on April 2, 2007, Lead Plaintiff filed an objection to the Order (the
 20 “Objection”);

21 **WHEREAS**, the scope and subject matter of the rebuttal to the Seyhun Report will
 22 not be resolved until the Court decides on Lead Plaintiff’s Objection;

23 **NOW THEREFORE**, the parties hereby stipulate and agree as follows:

24 1. Mr. Kalkhoven may submit a rebuttal to the Seyhun Report five court days
 25 after the Court’s resolution of Lead Plaintiff’s Objection;

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2. The deposition of Mr. Kalkhoven's rebuttal expert shall take place no later than seven calendar days following the filing of the rebuttal to the Seyhun Report.

IT IS SO STIPULATED AND AGREED.

DATED: April 3, 2007

HELLER EHRMAN LLP

By /s/ Howard S. Caro
Howard S. Caro

Attorneys for Defendant
KEVIN KALKHOVEN

DATED: April 3, 2007

MORRISON & FOERSTER LLP

*** With Express Authorization**

By /s/ Philip T. Besirof*
Philip T. Besirof

Attorneys for Defendants
JDS UNIPHASE CORPORATION, JOZEF
STRAUS, ANTHONY MULLER and CHARLES
ABBE

DATED: April 3, 2007

LABATON SUCHAROW & RUDOFF LLP

*** With Express Authorization**

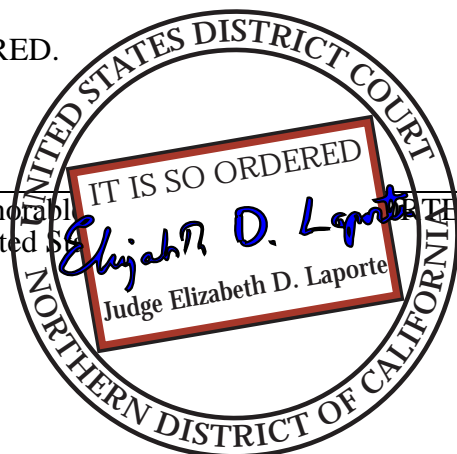
By /s/ Mark S. Arisohn*
Mark S. Arisohn

Attorneys for Lead Plaintiff
CONNECTICUT RETIREMENT PLANS AND
TRUST FUNDS

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 4, 2007

By Honorable
United States District Judge
Elizabeth D. Laporte



1 I, Howard S. Caro, am the ECF user whose ID and password are being used to file
2 this Stipulation and [Proposed] Order Extending Schedule for Submission of Rebuttal
3 Expert Report. Pursuant to Northern District of California General Order No. 45 for
4 Electronic Case Filing, I attest that Philip T. Besirof and Mark S. Arisohn have concurred in
5 this filing. I will maintain documents supporting such concurrence in our files that can be
6 made available for inspection upon request.

7 DATED: April 3, 2007

HELLER EHRMAN LLP

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9 By /s/ Howard S. Caro
Howard S. Caro

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11 Attorneys for Defendant
KEVIN KALKHOVEN
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